

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JESUS M. GARCIA

Petitioner,

v.

COMMONWEALTH OF  
PENNSYLVANIA, *ET AL.*

Respondents.

No. 3:14-CV-2214

(JUDGE CAPUTO)

(MAGISTRATE JUDGE  
ARBUCKLE)

**ORDER**

**NOW**, this 13<sup>th</sup> day of November, 2018, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 22) is **ADOPTED as modified by the accompanying memorandum.**
- (2) The Petition under § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. 1) is **DISMISSED.**
- (3) A Certificate of Appealability **SHALL NOT ISSUE.**
- (4) The Clerk of Court is directed to mark this case as **CLOSED.**

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/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge